

**IN THE UNITED STATES COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

BREON LAVELLE SEGREE,	:	CIVIL ACTION
	:	
Plaintiff	:	
	:	
v.	:	
	:	
ANDREW M. SAUL,	:	No. 19-cv-05199-RAL
Commissioner of Social Security,	:	
	:	
Defendant	:	

MEMORANDUM OPINION

**RICHARD A. LLORET
U.S. MAGISTRATE JUDGE**

May 8, 2020

Breon Lavelle Segree was denied social security benefits by the decision of an Administrative Law Judge (“ALJ”). Mr. Segree contends that the ALJ’s unfavorable decision was reached in error. Doc. No. 14, at 2–16 (Plaintiff’s Brief). Mr. Segree argues that (1) the ALJ improperly found some of his impairments to not be severe, at step two; (2) the ALJ failed to include all of Mr. Segree’s credibly determined limitations into the Residual Functional Capacity (“RFC”) assessment; and (3) the presiding ALJ’s appointment was improper under the Appointments Clause of the Constitution. *Id.* In response, the Commissioner of Social Security (“Commissioner”) conceded that further development of the record and evaluation of Mr. Segree’s claim is warranted, and he requested that this case be remanded. Doc. No. 17 (Defendant’s Uncontested Motion to Remand). The Commissioner has represented that Mr. Segree’s counsel consented to his request. *See id.*

Because the parties agree that the ALJ erred in the evaluation of Mr. Segree’s disability claim, Mr. Segree’s request for review is granted, the final decision of the

Commissioner is reversed, and this matter is remanded to the Commissioner further proceedings.

BY THE COURT:

s/Richard A. Lloret
RICHARD A. LLORET
U.S. Magistrate Judge